

BILL NO. Z-75-06-06

ZONING MAP ORDINANCE NO. Z-07-75.

AN ORDINANCE fixing the location of a certain
Historical District and amending the City of
Fort Wayne Zoning Map accordingly

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT
WAYNE, INDIANA:

SECTION 1. Pursuant to Section 34 of Article IX of Chapter 36
of the Municipal Code of the City of Fort Wayne, Indiana 1946, as enacted by
General Ordinance No. G-39-65 passed on September 10, 1965 and approved by
the Mayor on September 13, 1965, the following area is hereby designated as a
Historical District, as established by Section 9 and 34 of said Chapter 36 as amended
accordingly:

Embassy Theatre and Indiana Hotel, more
particularly described as follows:

Lots 411, 412 and 413 in Samuel Hanna's
Addition west part

SECTION 2. This Ordinance shall be in full force and effect from and
after its passage, approval by the Mayor and legal publication thereof.

Eugene Kraush
Councilman

Did B. C.

Read the first time in full and on motion by Kraus, seconded by Hinga, and duly adopted, read the second time by title and referred to the Committee on Regulations (and the City Plan Commission for recommendation) and Public Hearing to be held after due legal notice, at the Council Chambers, City-County Building, Fort Wayne, Indiana, on _____, the _____ day of _____, 197____, at _____ o'clock P.M., E.S.T.

Date:

6-10-75

Charles W. Westerman
CITY CLERK

Read the third time in full and on motion by Kraus, seconded by V Schmidt, and duly adopted, placed on its passage. Passed (~~lost~~) by the following vote:

	AYES	NAYS	ABSTAINED	ABSENT	TO-WIT
TOTAL VOTES	<u>8</u>	<u>0</u>		<u>1</u>	
BURNS	✓				
HINGA	✓				
KRAUS	✓				
MOSES	✓				
NUCKOLS				✓	
SCHMIDT, D.	✓				
SCHMIDT, V.	✓				
STIER	✓				
TALARICO	✓				

DATE:

8-12-75

Charles W. Westerman
CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as (Zoning Map) (General) (Annexation) (Special) (Appropriation) Ordinance (Resolution), No. 3-07-75 on the 12th day of August, 1975.

ATTEST:

(SEAL)

Charles W. Westerman
CITY CLERK

James Stier
PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 13th day of August, 1975, at the hour of 10:00 o'clock A. M. E.S.T.

Charles W. Westerman
CITY CLERK

Approved and signed by me this 14th day of August, 1975, at the hour of 2:00 o'clock P. M. E.S.T.

James Stier
MAYOR

Bill No. Z-75-06-06

REPORT OF THE COMMITTEE ON REGULATIONS

We, your Committee on Regulations to whom was referred an Ordinance
fixing the location of a certain Historical District and amending the city of
Fort Wayne Zoning Map accordingly

have had said Ordinance under consideration and beg leave to report back to the Common
Council that said Ordinance Do PASS.

Eugene Kraus, Jr. - Chairman

John Nuckols - Vice-Chairman

Vivian G. Schmidt

Paul M. Burns

Donald J. Schmidt

Eugene Kraus

Vivian G. Schmidt
Paul M. Burns
DJ Schmidt

DATE 8-12-75 CONCURRED IN
CHARLES W. WESTERMAN, CITY CLERK



COMMUNITY DEVELOPMENT AND PLANNING

long range planning and zoning

July 30, 1975

Members of the Common Council
City-County Building
One Main Street
Fort Wayne, Indiana 46802

Gentlemen and Mrs. Schmidt:

Attached hereto is a copy of a resolution pertaining to one (1) zoning ordinance amendment acted upon by the City Plan Commission at their regular meeting held July 28, 1975. In addition to the reasons outlined in the resolution, the following are additional remarks pertaining to the ordinance involved.

1. Bill No. Z-75-06-06
2. Plan Commission Recommendation: DO PASS


This ordinance received a DO PASS recommendation for the following reason:

The City Plan Commission supports the efforts of the SAVE THE EMBASSY FOUNDATION, therefore, we recommend passage of this amendment to further protect this site by means of declaring it a Historical District.

If there are any questions with regard to this ordinance, please feel free to call on us.

Respectfully submitted,

COMMUNITY DEVELOPMENT AND PLANNING
Division of Long Range Planning
and Zoning


James Geraghty
Director

JG:pr



R E S O L U T I O N

WHEREAS, the City Plan Commission, at their regular meeting held May 27, 1975, proposed to prepare an ordinance for the establishment of the Embassy Theatre and the Indiana Hotel as a Historical District; and,

WHEREAS, this action was taken by the City Plan Commission following consultation with the Mayor's Commission on Preservation and Restoration and the Embassy Theatre Foundation, Inc.,; and,

WHEREAS, an ordinance was introduced on June 10, 1975 and assigned Bill No. Z-75-06-06;

WHEREAS, the required notice of public hearing on such proposed ordinance has been published as required by law; and,

WHEREAS, the City Plan Commission conducted a public hearing on such proposed ordinance on July 21, 1975;

NOW THEREFORE, BE IT RESOLVED that the City Plan Commission does hereby recommend that such proposed ordinance DO PASS for the reason that the City Plan Commission supports the efforts of the Save The Embassy Foundation, therefore, we recommend passage of this amendment to further protect this site by means of declaring it a historical district.

BE IT FURTHER RESOLVED that the Secretary-is-hereby directed to present a copy of this resolution to the Common Council at its next regular meeting.

This is to certify that the above is a true and exact copy of a resolution adopted at the meeting of the Fort Wayne City Plan Commission held July 28, 1975.



Charles N. Hall
Secretary

Certified and signed this
30th day of July, 1975

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4 BILL NO. Z-75-06-06

5 ZONING MAP ORDINANCE NO. Z-07-75

6 AN ORDINANCE fixing the location of a certain
7 Historical District and amending the City of
8 Fort Wayne Zoning Map accordingly

9 BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT
10 WAYNE, INDIANA:

11 SECTION 1. Pursuant to Section 34 of Article IX of Chapter 36
12 of the Municipal Code of the City of Fort Wayne, Indiana 1946, as enacted by
13 General Ordinance No. G-39-65 passed on September 10, 1965 and approved by
14 the Mayor on September 13, 1965, the following area is hereby designated as a
15 Historical District, as established by Section 9 and 34 of said Chapter 36 as amended
16 accordingly:

17
18 Embassy Theatre and Indiana Hotel, more
19 particularly described as follows:

20 Lots 411, 412 and 413 in Samuel Hanna's
21 Addition west part

22 SECTION 2. This Ordinance shall be in full force and effect from and
23 after its passage, approval by the Mayor and legal publication thereof.

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25 Eugene Kraus
26 Councilman
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Admn. Appr. ✓

DIGEST SHEET

TITLE OF ORDINANCE ZONING ORDINANCE 3-75-06-06

DEPARTMENT REQUESTING ORDINANCE City Plan Commission

SYNOPSIS OF ORDINANCE Establish the Embassy Theatre and Indiana Hotel

as Historical District

EFFECT OF PASSAGE Preservation of Embassy Theatre

EFFECT OF NON-PASSAGE

MONEY INVOLVED (DIRECT COSTS, EXPENDITURES, SAVINGS)

ASSIGNED TO COMMITTEE (PRESIDENT)

*Regulation
1/2/76*



CITY OF FORT WAYNE

FORT WAYNE, INDIANA

CHARLES W. WESTERMAN
CITY CLERK

August 20, 1975

Miss Helen Libbing
Fort Wayne Newspapers, Inc.
600 West Main Street
Fort Wayne, Indiana 46802

Dear Miss Libbing:

Please give the attached full coverage on the dates of August 22 and August 29, 1975, in both the News Sentinel and Journal Gazette.

RE: Legal Notice for Common Council
of Fort Wayne, Indiana.

Bill No. Z-75-06-06
Zoning Map Ordinance No. Z-07-75
Historical District

Bill No. G-74-07-45
(As Amended)
General Ordinance No. G-23-75
Food Establishment Ordinance

Please send us five (5) copies of the Publisher's Affidavit from both newspapers.

Thank you.

Sincerely,

A handwritten signature in cursive script that reads "Charles W. Westerman".

Charles W. Westerman
City Clerk

CWW/ne
Encl: 2

Common Council of Fort Wayne
(Governmental Unit)

To JOURNAL-GAZETTE Dr.

Allen County, Ind.

FORT WAYNE, INDIANA

PUBLISHER'S CLAIM

LINE COUNT

Display Matter (Must not exceed two actual lines, neither of which shall total more than four solid lines of the type in which the body of the advertisement is set) — number of equivalent lines

Head number of lines

Body number of lines

Tail number of lines

Total number of lines in notice

79

2

81

COMPUTATION OF CHARGES

81 lines, 1 columns wide equals 81 equivalent lines at .288¢ cents per line

\$ 23.33

Additional charge for notices containing rule or tabular work (50 per cent of above amount)

Charge for extra proofs of publication (50 cents for each proof in excess of two)

1.50

TOTAL AMOUNT OF CLAIM

\$ 24.83

DATA FOR COMPUTING COST

Notice is hereby given that on the 12th day of August, 1975, the Common Council of the City of Fort Wayne, Indiana, in a regular session did pass the following Bill No. 2-75-66-86, 2-67-75 Zoning Map Ordinance, to wit:

Bill No. 2-75-66-86
Zoning Map Ordinance No. 2-67-75
An Ordinance fixing the location of a certain Historical District and amending the City of Fort Wayne Zoning Map accordingly.

Be it ordained by the Common Council of the City of Fort Wayne, Indiana: SECTION 1. Pursuant to Section 34 of Article IX of Chapter 36 of the Municipal Code of the City of Fort Wayne, Indiana 1966, as enacted by General Ordinance No. G-39-65 passed on September 10, 1965 and approved by the Mayor on September 13, 1965, the following area is hereby designated as a Historical District, as established by Section 9 and 24 of said Chapter 36 as amended accordingly:

Embassy Theatre and Indiana Hotel, more particularly described as follows:

Lots 411, 412 and 413 in Samuel Hanna's Addition west part.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage, approved by the Mayor and legal publication thereon.

EUGENE KRAUS, Councilman

Read the third time in full and on motion by Kraus, seconded by V. Schmidt, and duly adopted, placed on its passage, PASSED by the following vote:

Ayes: Elght-Burns, Hinga, Kraus, Moses, D. Schmidt, V. Schmidt, Stier, Talerio. Nays: None. Absents: One, Nuckles.

CHARLES W. WESTERMAN, City Clerk

ate: 8:12:75

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Zoning Map Ordinance No. 2-67-75 on the 12th day of August, 1975.

Attest: Charles W. Westerman, City Clerk

(Seal) James S. Stier, Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 13th day of August, 1975, at the hour of 10:00 o'clock A.M., E.S.T.

CHARLES W. WESTERMAN, City Clerk

Approved and signed by me this 14th day of August, 1975, at the hour of 2:08 o'clock P.M., E.S.T.

IVAN A. LEBAMOFF, Mayor

I, Charles W. Westerman, Clerk of the City of Fort Wayne, Indiana, do hereby certify that the above and foregoing is a full, true and complete copy of Zoning Map Ordinance No. 2-67-75 passed by the Common Council on the 12th day of August, 1975, and that said Ordinance was duly signed and approved by the Mayor on the 14th day of August, 1975 and now remains on file and on record in my office.

Witness my hand and the official seal of the City of Fort Wayne, Indiana, this 14th day of August, 1975.

CHARLES W. WESTERMAN, City Clerk

8-22-79

single column 11 ems

Size of type. 5 1/2 point

of insertions 2

Size of quad upon which type is cast. 5 1/2

vision and penalties of Ch. 89, Acts 1967,

the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just part of the same has been paid.

29, 1975

Title CLERK

PUBLISHER'S AFFIDAVIT

State of Indiana
ALLEN County } as:

Personally appeared before me, a notary public in and for said county and state, the undersigned ARVILLA DEWALD who, being duly sworn, says that she is CLERK of the

JOURNAL-GAZETTE

a DAILY newspaper of general circulation printed and published

in the English language in the city of FORT WAYNE, INDIANA

in state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for 2 time s, the dates of publication being as follows:

8/22-29/75

Subscribed and sworn to before me this 29th day of August 1975

My commission expires October 25, 1975

Notary Public

Common Council of Fort Wayne
(Governmental Unit)

To JOURNAL-GAZETTE Dr.

Allen County, Ind.

FORT WAYNE, INDIANA

PUBLISHER'S CLAIM

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TOTAL AMOUNT OF CLAIM

\$ 24.83

DATA FOR COMPUTING COST

Width of single column 11 ems

Size of type 5 1/2 point

Number of insertions 2

Size of quad upon which type is cast 5 1/2

Pursuant to the provision and penalties of Ch. 89, Acts 1967,

I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

Date August 29, 1975

Title CLERK

PUBLISHER'S AFFIDAVIT

State of Indiana }
ALLEN County } ss:

Personally appeared before me, a notary public in and for said county and state, the undersigned ARVILLA DEWALD who, being duly sworn, says that she is CLERK of the

JOURNAL-GAZETTE

a DAILY newspaper of general circulation printed and published in the English language in the city of FORT WAYNE, INDIANA in state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for 2 time 8, the dates of publication being as follows: 8/22-29/75

Subscribed and sworn to before me this 29th day of August 1975

Notary Public

My commission expires October 25, 1975

COPY OF
MENT HEREStokola Last
THESE AND MORE
EMERSON FRANKS
of theApproved and signed by me
14th day of August, 1975, at the hour of 2:00
a clock P.M., E.S.T.

IVAN A. LEBAMOFF, Mayor

I, Charles W. Westerman, Clerk of the City of Fort Wayne, Indiana, do hereby certify that the above and foregoing is a full, true and complete copy of Zoning Area Ordinance No. 2-67/75 passed by the Common Council on the 17th day of August, 1975, and that said Ordinance was duly signed and approved by the Mayor on the 14th day of August, 1975 and now remains on file and on record in my office.

Witness my hand, and the official seal of the City of Fort Wayne, Indiana, this 14th day of August, 1975.
CHARLES W. WESTERMAN,
City Clerk

Common Council of Fort Wayne
(Governmental Unit)

To NEWS-SENTINEL Dr.

Allen County, Ind.

FORT WAYNE, INDIANA

PUBLISHER'S CLAIM

LINE COUNT

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Charge for extra proofs of publication (50 cents for each proof in excess of two)

1.50

TOTAL AMOUNT OF CLAIM

\$ 24.83

DATA FOR COMPUTING COST

Notice is hereby given that on the 12th day of August, 1975, the Common Council of the City of Fort Wayne, Indiana, in a regular session did pass the following Bill No. Z-75-06, Z-07-75 Zoning Map Ordinance, to-wit:

Bill No. Z-75-06
Zoning Map Ordinance No. Z-07-75
An Ordinance fixing the location of a certain Historical District and amending the City of Fort Wayne Zoning Map accordingly.

Be it ordained by the Common Council of the City of Fort Wayne, Indiana: SECTION 1. Pursuant to Section 34 of Article IX of Chapter 36 of the Municipal Code of the City of Fort Wayne, Indiana 1965, as enacted by General Ordinance No. G-39-65 passed on September 19, 1965 and approved by the Mayor on September 13, 1965, the following area is hereby designated as a Historical District, as established by Section 9 and 34 of said Chapter 36 as amended accordingly.

Embassy Theatre and Indiana Hotel, more particularly described as follows: Lots 411, 412 and 413 in Samuel Hanna's Addition west part

SECTION 2. This Ordinance shall be in full force and effect from and after its passage, approved by the Mayor and legal publication thereof.

EUGENE KRAUS, Councilman

Read the third time in full and on motion by Kraus, seconded by V. Schmidt, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Eight—Burns, Hinga, Kraus, Moses, D. Schmidt, V. Schmidt, Siler, Talarico, Nays: None. Absent: One, Nuckels.

CHARLES W. WESTERMAN, City Clerk

ate: 8:12:75

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Zoning Map Ordinance No. Z-07-75 on the 12th day of August, 1975.

Attest: Charles W. Westerman, City Clerk (Seal) James S. Siler, Presiding Officer Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 12th day of August, 1975, at the hour of 10:00 o'clock A.M., E.S.T.

CHARLES W. WESTERMAN, City Clerk

Approved and signed by me this 13th day of August, 1975, at the hour of 2:00 o'clock P.M., E.S.T.

IVAN A. LEBAMOFF, Mayor

I, Charles W. Westerman, Clerk of the City of Fort Wayne, Indiana, do hereby certify that the above and foregoing is a full, true and complete copy of Zoning Map Ordinance No. Z-07-75 passed by the Common Council on the 12th day of August, 1975, and that said Ordinance was duly signed and approved by the Mayor on the 14th day of August, 1975 and now remains on file and on record in my office.

Witness my hand, and the official seal of the City of Fort Wayne, Indiana, this 14th day of August, 1975.

CHARLES W. WESTERMAN, City Clerk

line column 11 ems

Size of type 5 1/2 point

insertions 2

Size of quad upon which type is cast 5 1/2

in and penalties of Ch. 89, Acts 1967,

foregoing account is just and correct, that the amount claimed is legally due, after allowing all just of the same has been paid.

T. E. Gerken

19 75

Title Clerk

PUBLISHER'S AFFIDAVIT

State of Indiana

ALLEN County ss:

Personally appeared before me, a notary public in and for said county and state, the undersigned, V. E. Gerken, who, being duly sworn, says

that _____ She is _____ Clerk _____ of the

NEWS-SENTINEL

a DAILY newspaper of general circulation printed and published in the English language in the city of FORT WAYNE, INDIANA

in state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for TWO

time, 8 _____ the dates of publication being

as follows:

8/22-29/75

Subscribed and sworn to before me this 20th day of August 1975

T. E. Gerken
James P. Rasmussen

Notary Public

My commission expires October 25, 1975

To NEWS-SENTINEL Dr

Allen County, Ind

FORT WAYNE, INDIANA

LINE COUNT

Display Matter (Must not exceed two actual lines, neither of which shall total more than four solid lines of the type in which the body of the advertisement is set) — number of equivalent lines

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Tail number of lines

Total number of lines in notice

COMPUTATION OF CHARGES

81 lines 1 column is wide equals 81 equivalent lines at .28¢
cents per line

Additional charge for notices containing rule or tabular work (50 per cent of above amount)

Charge for extra proofs of publication (50 cents for each proof in excess of two)

TOTAL AMOUNT OF CLAIM

DATA FOR COMPUTING COST

Width of single column 11 ems

Size of type $5\frac{1}{2}$ point

Number of insertions... 2

Size of quad upon which type is cast $5\frac{1}{2}$

Pursuant to the provision and penalties of Ch. 89, Acts 1967.

I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

Date August 29, 19 75

Title Clerk

PUBLISHER'S AFFIDAVIT

State of Indiana
ALLEN County

Personally appeared before me, a notary public in and for said county and state, the undersigned V.E.Gerken who, being duly sworn, says that She is Clerk of the

NEWS-SENTINEL

DAILY
a newspaper of general circulation printed and published
in the English language in the city of **FORT WAYNE, INDIANA**

in state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for two

time, S the dates of publication being
as follows:

8/22-29/75

Subscribed and sworn to before me this 29th day of August 1975

Notary Public

My commission expires October 25, 1975

[illegible]